

REMARKS

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. This amendment is believed to be fully responsive to all issues raised in the June 26, 2006 Office

5 Action.

Claim Amendments

Claims 24, 53, and 54 are amended as shown above to more clearly indicate that an accessibility mode is associated with a document, and not just
10 with an element of a document.

Rejections to the Claims

35 U.S.C. 112

Claims 1-23 and 53-63 are rejected under 35 U.S.C. 112, first paragraph,
15 as failing to comply with the enablement requirement. The Office contends that the term "focusable" is not clearly defined by the specification and is not a term that is well-known in the art. Applicant respectfully disagrees. The term "focusable" is well-known in the art, and can be found in various resources available on the Internet.

20 For example, the web site accessible at "<http://msdn.microsoft.com/library/default.asp?url=/library/en-us/MedctrSDK/html/makingbuttonsandotherelementsfocusable.asp>", which is part of the Windows® XP Media Center Edition Software Developer's Kit, includes an article titled, "Making Buttons and Other

Elements Focusable". This article states, "Each template is linked to script that enables the remote control to move the focus among focusable items, based on the location of the items on the page."

Another article, titled, "Making Focusable Elements Respond to the OK Button," which is available at the same web site states, "Most focusable
5 elements, particularly buttons, perform some function when they have the focus and the user presses the OK button on the remote control."

A web-based article titled, "Developing Services and Applications for Microsoft Windows® XP Media Center Edition 1005," includes a section titled
10 Managing Focus, which states, "A significant task for developing Media Center applications is tracking which element on the page has focus and determining which element should receive focus when the user presses a direction key."

In summary, the term "focusable", as known in the art, is used to describe an element that can have the focus in response to a navigation
15 command, such as a direction key. Accordingly, Applicant believes that the term "focusable" is a term that is well-known in the art, and therefore respectfully requests that the 112 rejection of claims 1-23 and 53-63 be withdrawn.

35 U.S.C. 102(b)

Claims 1-15, 20, 21, 23, 24, 53-55, 57, 58, 62, and 63 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application Publication Number 2002/0152283 filed by Dutta et al. (herein referred to as "Dutta").

5 Applicant respectfully traverses this rejection.

Applicant's application describes providing access to alternate content in documents rendered using an interactive television viewing system. A browser or other rendering engine that supports access to alternate content determines
10 which elements in the document may receive focus, based on whether or not an accessibility mode is active. When an accessibility mode is active, the list of focusable elements may contain elements that, by default, are not focusable elements, but that have associated alternate content. An icon or other demarcation, either audio or visual, can be used to indicate to the user whether
15 or not an accessibility mode is active. Furthermore, an input device, such as a television remote control can be configured to provide a mechanism for activating and deactivating an accessibility mode. (*Application, Summary.*)

Specifically, claim 1 recites:

A method comprising:

20 receiving a document to be rendered, the document including a first element that has standard content and is focusable and a second element that has both standard and alternate content and is not focusable;

generating a list of focusable elements associated with the document, such that the list includes the first element, but does not include the second element;

rendering the document such that the standard content associated with the first element is rendered and the standard content associated with the second element is rendered;

receiving an indication of a viewer's intent to activate an accessibility mode; and

altering the list of focusable elements to include the second element.

Dutta does not show or disclose "generating a list of focusable elements associated with the document, such that the list includes the first element, but does not include the second element;" and "altering the list of focusable elements to include the second element," as recited in claim 1.

Dutta discloses providing access to alternate formats within an electronic document. A web page is parsed and a document object model (DOM) is created, and the alternate format attribute of an image element within the DOM is parsed. The browser then displays the web page containing an image (or images) according to the default settings of the browser. A user interface is specified which allows the user to select alternate formats for the default image. This user interface may be in the form of a pop up menu that is presented to the user in response to an input command, such as a right mouse click on the default image. The user can then select an alternate format which replaces the original image in the web page. (*Dutta, Abstract.*) However, Dutta does not

disclose, "generating a list of focusable elements," and, "altering the list of focusable elements," as recited in claim 1.

Regarding claim 1, the Office cites Dutta, paragraphs [0008] and [0038]-[0053]. The cited portions of Dutta disclose displaying a web page that includes
5 at least one element that has alternate content such that a user can select the element that has alternate content to activate a menu from which the user can select an available alternate content format for the element. The element is selected to activate the menu by double-clicking or right-clicking a mouse. The cited portions of Dutta do not specify whether or not the element is focusable.

10 The cited portions of Dutta do not disclose the following elements of claim 1:

- receiving a document to be rendered, the document including a
15 *first element* that has standard content and *is focusable* and a *second element* that has both standard and alternate content and *is not focusable*;
- *generating a list of focusable elements* associated with the document, such that the list includes the first element, but does not include the second element; and
- *altering the list of focusable elements* to include the second
20 element

Accordingly, claim 1 is allowable over Dutta, and Applicant respectfully requests that the 102 rejection be withdrawn.

Claims 2-15 are allowable at least by virtue of their dependence (direct or indirect) on claim 1, and Applicant respectfully requests that the 102 rejection be withdrawn.

5 With reference to claims 20, 21, and 23, the Office lists claims 20, 21, and 23 as independent claims and for each of claims 20, 21, and 23 repeats the same argument as presented with reference to claim 1. However, claims 20, 21, and 23 are dependent claims, and are allowable at least by virtue of their dependence on claim 1.

10

Independent claim 24 recites:

A method comprising:

15 receiving a document having one or more elements, individual elements having standard content and having associated alternate content that can be rendered in an accessibility mode of operation, wherein the accessibility mode of operation is associated with the document;

20 in an event that the accessibility mode is not active, rendering the standard content associated with each of the elements; and

in an event that the accessibility mode is active, rendering the alternate content associated with at least one of the elements.

25 Dutta does not show or disclose "receiving a document having one or more elements, individual elements having standard content and having associated alternate content that can be rendered in an accessibility mode of

operation, *wherein the accessibility mode of operation is associated with the document*," as recited in claim 24.

With reference to claim 24, the Office cites Dutta, paragraphs [0008] and [0038]-[0053]. The cited portion of Dutta discloses a way in which a user can
5 select an element on a web page to access a menu of alternate content formats available for the element. The type of alternate content access described in Dutta differs from claim 24 because Dutta only discloses launching a menu for accessing alternate content for a particular element, and does not disclose an accessibility mode of operation that is *associated with the document*.
10 Accordingly, claim 24 is allowable over Dutta, and Applicant respectfully requests that the 102 rejection be withdrawn.

Claim 53 recites:

A system comprising:

- 15 a rendering engine configured to visually render a document having an associated document accessibility mode and associated focusable elements and to render standard or alternate content associated with one or more of the focusable elements according to the document accessibility mode; and
20 a display interface for communicating the document and alternate content that are rendered to a display device

Dutta does not show or disclose "a rendering engine configured to visually render *a document having an associated document accessibility*
25 *mode* and associated focusable elements and to render standard or alternate

content associated with one or more of the focusable elements according to the document accessibility mode," as recited in claim 53.

With reference to claim 53, the Office cites Dutta, paragraphs [0008] and [0038]-[0053]. The cited portion of Dutta discloses a way in which a user can
5 select an element on a web page to access a menu of alternate content formats available for the element. Dutta discloses accessing alternate content associated with a selected element on a web page – Dutta does not disclose, "a document having an associated document accessibility mode," as claimed. Accordingly, claim 53 is allowable over Dutta, and Applicant respectfully
10 requests that the 102 rejection be withdrawn.

Claim 54 is allowable by virtue of its dependence on claim 53. Furthermore, claim 54 is also allowable for independent reasons. For example, claim 54 recites, "a focusable element identifier for determining which of a
15 plurality of elements associated with the document are focusable." With regard to claim 54, the Office cites Dutta, paragraphs [0008] and [0038]-[0053], and contends that Dutta describes, "an ACTIVE list is generated for the document which includes elements with standard content, but does not include alternate content elements." Applicant respectfully disagrees with this interpretation of
20 Dutta. Specifically, Dutta paragraph [0038] states:

5 The present invention provides an "ACTIVE" ALT tag for a multimedia resource that gives the user the ability to choose an appropriate format from a list of alternate formats. The list can be a pop up menu, an audio list, or a tactile menu. The tag can be activated by right clicking or double clicking on a mouse, or by any other means by which options and menus are usually accessed.

This portion of Dutta discloses an ACTIVE tag that is used to generate a menu that lists the types of available alternate content associated with a particular element. Dutta does not disclose, "determining which of a plurality of elements associated with the document are focusable," as recited in claim 54. Accordingly, claim 54 is allowable over Dutta, and Applicant respectfully requests that the 102 rejection be withdrawn.

15 Claim 55 recites, "means for modifying a list of focusable elements associated with a document to be rendered."

With reference to claim 55, the Office repeats the same argument as presented with reference to claim 1. As described above with reference to claim 54, Dutta does not disclose determining which of a plurality of elements associated with the document are focusable, and further, does not disclose, "modifying a list of focusable elements associated with a document," as recited in claim 55. Accordingly, claim 55 is allowable over Dutta, and Applicant respectfully requests that the 102 rejection be withdrawn.

Claim 57 recites:

One or more computer-readable media comprising computer executable instructions that, when executed, direct a computing system to:

- 5 determine a list of focusable elements associated with a document to be rendered;
- determine that the document is to be rendered in an accessibility mode;
- alter the list of focusable elements to include elements that
- 10 have associated alternate content;
- visually render the document such that standard content associated with each element is rendered and each element on the list of focusable elements can be selected;
- receive an indication that an element has been selected;
- 15 and
- in an event that the element has associated alternate content, render the alternate content.

With reference to claim 57, the Office repeats the same arguments as

20 presented with reference to claims 1 and 53. As described above with reference to claim 54, Dutta does not disclose directing a computing system to, "determine a list of focusable elements associated with a document to be rendered," as recited in claim 57. Further, Dutta does not disclose directing a computing system to, "alter the list of focusable elements to include elements

25 that have associated alternate content." Accordingly, claim 57 is allowable over Dutta, and Applicant respectfully requests that the 102 rejection be withdrawn.

Claims 58, 62, and 63 are allowable over Dutta at least by virtue of their dependence on claim 57.

35 U.S.C. 103(a)

5 Claims 16 and 59-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta in view of Microsoft Computer Dictionary, published in 2002, fifth edition (herein referred to as "MCD"). Applicant respectfully traverses this rejection.

10 Claims 16 and 59-61 are allowable as depending from a respective allowable base claim and for their own recited features which are neither shown nor described in the references of record. To the extent that claims 1, 12, 57, and 58 are allowable over Dutta, the further rejection of claims 16 and 59-61 over the reference to MCD is not seen to add anything of significance because
15 MCD does not cure the deficiencies of Dutta. Accordingly, Applicant respectfully requests that the 103 rejection be withdrawn.

 Claims 17-19 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta in view of U.S. Patent Number 6,819,961 issued to
20 Jacobs et al. (herein referred to as "Jacobs"). Applicant respectfully traverses this rejection.

Claims 17-19 and 56 are allowable as depending from a respective allowable base claim and for their own recited features which are neither shown nor described in the references of record. To the extent that claims 1 and 55 are allowable over Dutta, the further rejection of claims 17-19 and 56 over the
5 reference to Jacobs is not seen to add anything of significance because Jacobs does not cure the deficiencies of Dutta. Accordingly, Applicant respectfully requests that the 103 rejection be withdrawn.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over
10 Dutta. Applicant respectfully traverses this rejection.

Claim 22 is allowable as depending from an allowable base claim and for its own recited features which are neither shown nor described in the references of record. As discussed above, claim 1 is allowable over Dutta.
15 Accordingly, by virtue of dependence, claim 22 is also allowable over Dutta, and Applicant respectfully requests that the 103 rejection be withdrawn.

Conclusion

Claims 1-24 and 53-63 are believed to be in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance
5 of the application, the Examiner is encouraged to contact the undersigned agent to discuss the unresolved issue.

10

Respectfully Submitted,
Lee & Hayes, PLLC
421 W. Riverside Avenue, Suite 500
Spokane, WA 99201

15

Dated: 8/29/06

Kayla D. Brant

Name: Kayla D. Brant
Reg. No. 46,576
Phone No. (509) 324-9256 ext. 242